

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Vance, et al.)
Serial Number: 10/623,930) Examiner: Vinod Kumar
Filed: July 21, 2003) Group Art Unit: 1638
Confirmation No.: 6465) Customer Number: 22827
Title: Compositions and Methods for)
the Modulation of Gene)
Expression in Plants)

**AMENDMENT FILED AFTER THE FILING OF AN APPEAL AND PRIOR TO
THE DATE OF AN APPEAL BRIEF**

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

	<u>Claims remaining after amendment</u>	<u>Highest number previously paid for</u>	<u>Present Extra</u>	<u>Additional Fee</u>
Total Effective Claims	8	minus 26	= 0	x \$ 52 = \$ 0.00
Independent Claims	2	minus 3	= 0	x \$ 220 = \$ 0.00

- A Request for Continued Examination is requested in view of the: (\$810) \$ 0.00

 - Previously submitted Amendment / Response dated _____
 - Enclosed Amendment / Reply
 - Enclosed Affidavit(s) / Declaration(s)
 - Enclosed Information Disclosure Statement

Since Official Action set an original due date of N/A

PETITION is hereby made for an extension to cover the date this

response is filed for which the requisite fee is enclosed (1 month \$130;

2 months \$490; 3 months \$1,110; 4 months \$1,730; 5 months \$2,350 \$ 0.00

If amendment enters proper multiple dependent claim(s) into this application
for first time, add \$390.00 (per application) \$ 0.00

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$140.00) \$ 0.00

Other: _____ \$ 0.00

SUBTOTAL: \$ 0.00

If "small entity" verified statement filed previously,
 herewith, enter one-half (½) of subtotal and subtract - \$ 0.00

TOTAL FEE ENCLOSED: \$ 0.00

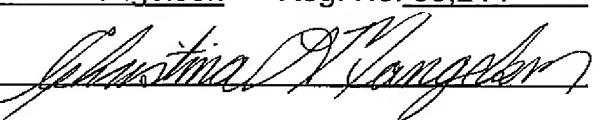
The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof. This statement does not authorize charge of the issue fee in this case.

DORITY & MANNING ATTORNEYS AT LAW, P.A.

ADDRESS:

Post Office Box 1449
Greenville, SC 29602 USA
Customer ID No.: 22827
Telephone: (864) 271-1592
Facsimile: (864) 233-7342

By: Christina L. Mangelsen Reg. No: 50,244

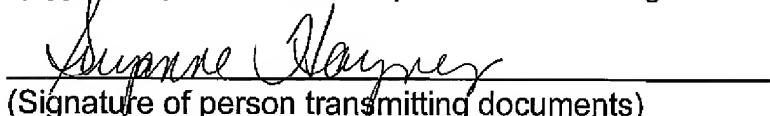
Signature: 

Date: December 16, 2009

I hereby certify that this correspondence and all attachments and any fee(s) are being electronically transmitted via the internet to the U.S. Patent and Trademark Office using the Electronic Patent Filing System on December 16, 2009.

Suzanne Haynes

(Type or printed name of person transmitting documents)


(Signature of person transmitting documents)

ATTORNEY DOCKET NO: USC-164

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Vance, et al.) Examiner: Vinod Kumar
Serial No: 10/623,930) Art Unit: 1638
Filed: July 21, 2003) Confirmation No: 6465
For: Compositions and Methods For The Modulation of Gene Expression In Plants) Deposit Account No: 04-1403) Customer No: 22827

**AMENDMENT FILED AFTER THE FILING OF AN APPEAL AND
PRIOR TO THE DATE OF AN APPEAL BRIEF**

Honorable Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accord with MPEP §1206 (I)(B), and prior to the filing of an Appeal Brief,
Appellants present the following:

Amendment to the Claims beginning on page 2 of this paper, and
Remarks beginning on page 5 of this paper.